

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ROBERT S. BREEZE,

Plaintiff,

vs.

STATE FARM FIRE & CASUALTY
COMPANY,

Defendant.

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SA-21-CV-00204-JKP

ORDER

Before the Court is Defendant's Unopposed Motion for Severance and Abatement [#6]. Upon reviewing the Motion and the pleadings on file, and upon considering the arguments of counsel, the Court is of the opinion that Defendant's Motion should be granted.

IT IS THEREFORE ORDERED that Defendant's Motion for Severance and Abatement [#6] is hereby **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's extra-contractual claims and related discovery are hereby **SEVERED** from his contractual claims and **ABATED** until such time as there has been entry of a final judgment related to Plaintiff's contractual claim for uninsured and/or underinsured motorist coverage.

IT IS FURTHER ORDERED that the severed and abated extra-contractual claims shall be assigned a new cause of action and that any discovery by Plaintiff relating to the extra contractual claims is hereby **STAYED** pending the entry of a final judgment related to Plaintiff's contractual claim.

IT IS SO ORDERED.

SIGNED this 20th day of April, 2021.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE